

#24

PTO/55/30 (10-01)

Approved for use through 10/31/2002. OMB 0851-0031  
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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# REQUEST F R CONTINUED EXAMINATION (RCE) TRANSMITTAL

Address to:  
Commissioner for Patents  
Box RCE  
Washington, DC 20231

Application Number	09/303,040
Filing Date	04/30/1999
First Named Inventor	Barbara J. Winslow, et al.
Art Unit	1648
Examiner Name	Park, Hankyel
Attorney Docket Number	SY01113Q

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

## 1. Submission required under 37 CFR 1.114

- a. ☐ Previously submitted
- i. ☐ Consider the amendment(s)/reply under 37 CFR 1.116 previously filed on \_\_\_\_\_  
(Any unentered amendment(s) referred to above will be entered).
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
- iii. ☐ Other \_\_\_\_\_
- b. ☒ Enclosed
- i. ☐ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☒ Information Disclosure Statement (IDS)
- iv. ☒ Other Petition Under 37 CFR 1.313(c)(2)- 2 pgs.

## 2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(f) required)
- b. ☐ Other \_\_\_\_\_

## 3. Fees

The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 19-0365
- i. ☒ RCE fee required under 37 CFR 1.17(e) See Fee Transmittal
- ii. ☐ Extension of time fee (37 CFR 1.136 and 1.17) \$ \_\_\_\_\_
- iii. ☒ Other See Fee Transmittal attached.
- b. ☐ Check in the amount of \$ \_\_\_\_\_ enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Nancy V. Connelly	Registration No. (Attorney/Agent)	46,638
Signature	<i>Nancy V. Connelly</i>	Date	April 21, 2003

## CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner For Patents, Box RCE, Washington, DC 20231, or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

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PTO/SB/17 (01-03)

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# FEE TRANSMITTAL for FY 2003

Effective 01/01/2003, Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT

(\$ 1060.00)

## Complete If Known

Application Number	09/303,040
Filing Date	April 30, 1999
First Named Inventor	Barbara J. Winslow, et al.
Examiner Name	Park, Hankyel
Art Unit	1648
Attorney Docket No.	SY01113Q

## METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None
☒ Deposit Account:
 Deposit  
Account  
Number  
Deposit  
Account  
Name

19-0365

Schering-Plough Corporation

The Commissioner is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments☒ Charge any additional fee(s) during the pendency of this application☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

## 1. BASIC FILING FEE

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1001	750	2001	375	Utility filing fee	
1002	330	2002	165	Design filing fee	
1003	520	2003	260	Plant filing fee	
1004	750	2004	375	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	

SUBTOTAL (1) (\$)

## 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Extra Claims	Fee from below	Fee Paid
Independent Claims	-20** =		
Multiple Dependent	-3** =		

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1202	18	2202	9	Claims in excess of 20	
1201	84	2201	42	Independent claims in excess of 3	
1203	280	2203	140	Multiple dependent claim, if not paid	
1204	84	2204	42	** Reissue independent claims over original patent	
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent	

SUBTOTAL (2) (\$)

\*\*or number previously paid, if greater. For Reissues, see above

## FEE CALCULATION (continued)

## 3. ADDITIONAL FEES

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	2053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for <i>ex parte</i> reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	410	2252	205	Extension for reply within second month	
1253	930	2253	465	Extension for reply within third month	
1254	1,450	2254	725	Extension for reply within fourth month	
1255	1,970	2255	985	Extension for reply within fifth month	
1401	320	2401	160	Notice of Appeal	
1402	320	2402	160	Filing a brief in support of an appeal	
1403	280	2403	140	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,300	2453	650	Petition to revive - unintentional	
1501	1,300	2501	650	Utility issue fee (or reissue)	
1502	470	2502	235	Design issue fee	
1503	630	2503	315	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	130
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1808	180	1808	180	Submission of Information Disclosure Stmt	180
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	750	2809	375	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	750	2810	375	For each additional invention to be examined (37 CFR 1.129(b))	
1801	750	2801	375	Request for Continued Examination (RCE)	750
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 1060.00)

## SUBMITTED BY

Name (Print/Type)

Nancy V. Connelly

Registration No.  
(Attorney/Agent)

46,638

(Complete if applicable)

Telephone

908-298-4107

Signature

Nancy V. Connelly

Date

April 21, 2003

**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

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**SCHERING-PLOUGH CORPORATION**  
LAW DEPARTMENT  
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KENILWORTH, NEW JERSEY 07033  
(908) 298-4000

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**FACSIMILE TRANSMITTAL SHEET**

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TO:

FAX NUMBER:

703-308-6916

**SHERRY D. BRINKLEY**United States Patent Office, Washington,  
DC

FROM:

PHONE NUMBER:

Nancy V. Connelly  
Registration No. 46,638

(908) 298-4107

TOTAL NO. OF PAGES INCLUDING COVER

DATE

9

April 21, 2003

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NOTES/COMMENTS:

Re: Serial No.: 09/303,040

In Re Application of Barbara J. Winslow *et al.*, Filed April 30, 1999

Group Art Unit: 1648, Attorney Docket No. SY01113Q

For:

**RECOMBINANT VIRUS EXPRESSING FOREIGN DNA ENCODING FELINE CD80,  
FELINE CD86, FELINE CD28, FELINE CTLA-4 OR FELINE INTERFERON-  
GAMMA AND USES THEREOF**

Enclosed please find the following documents in the above-referenced matter:

1. Request for Continued Examination (RCE) - 1 page
2. Fee Transmittal form - 1 page IN DUPLICATE
3. Petition Under 37 CFR 1.313(c)(2) - 2 pages
4. Supplemental Information Disclosure Statement - 1 page
5. PTO Form 1449 - 1 page
6. Certificate of Fax Transmission - 1 page
7. Fax Cover Sheet - 1 page

PHONE: (908) 298-4107

FAX: (908) 298-5388

Attorney Docket No.: SY01113Q

First Named Inventor: Barbara J. Winslow et al.

Application No.: 09/303,040

Filing Date: April 30, 1999

PTO/SB/97 (08-00)

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U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

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**Certificate of Transmission under 37 CFR 1.8**

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on April 21, 2003

Date

  
SignatureNancy V. Connelly, Reg. No. 46,638

Typed or printed name of person signing Certificate

Note: Each paper must have its own certificate of transmission, or this certificate must identify  
each submitted paper.

**Documents enclosed:**

Request for Continued Examination (RCE) - 1 page

Petition Under 37 CFR 1.313(c)(2) - 2 pages.

Fee Transmittal Form - 1 page IN DUPLICATE

Supplemental Information Disclosure Statement - 1 page

PTO Form 1449 - 1 page

Certificate of Fax Transmission - 1 page

Fax Cover Sheet - 1 page

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